

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM R. WEEKS, Individually and as
Trustee of the William R. Weeks Revocable
Trust Dated 07/11/2020, and,

DANA J. WEEKS, Individually and as Trustee
of the Dana J. Weeks Revocable Trust Dated
07/11/2020

Plaintiffs,

v.

FIFTH THIRD BANK, NATIONAL
ASSOCIATION, and WSFS FINANCIAL
CORPORATION d/b/a WSFS BANK,

Defendants.

Civil Action No.: 2:21-cv-01422-GAM

**DEFENDANT FIFTH THIRD BANK, NATIONAL ASSOCIATION'S
PARTIAL MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

Defendant, Fifth Third Bank, National Association ("Fifth Third"), by and through counsel, Jeffrey M. Stacko, Esq. and Dinsmore & Shohl LLP, and pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby moves this Honorable Court for an Order dismissing Counts I (Fair Debt Collection Practices Act); II (Fair Credit Reporting Act); IV (Fair Credit Extension Uniformity Act and the Pennsylvania Unfair Trade Practices and Consumer Protection Law); and V (Equity) of Plaintiffs' Complaint with prejudice for Plaintiffs' failure to state claims upon which relief may be granted.

Fifth Third relies on and incorporates the accompanying Memorandum of Law in support of its Motion.

Dated: June 14, 2021

/s/ Jeffrey M. Stacko
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Fifth Third Bank, National Association's Partial Motion to Dismiss was served upon the following via the Court's CM/ECF System on this 14th day of June, 2021:

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/s/ Jeffrey M. Stacko
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